

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1814**

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**Introduced by Assembly Member Travis Allen**

February 8, 2016

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An act to add Section ~~218.5~~ 226.6 to the Streets and Highways Code, relating to state highways.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1814, as amended, Travis Allen. State highways: roadside ~~rests~~. *rest areas*.

Existing law provides that the Department of Transportation has full possession and control of the state highway system and associated property. Existing law authorizes the department to plan, design, and construct a system of safety roadside rests along state ~~highways~~. *highways, which are maintained by the department*. Existing law provides that *safety* roadside rests are deemed to be part of the state highway right-of-way. *Existing law authorizes up to 6 additional safety roadside rest areas to be developed as joint economic development demonstration projects.*

~~This bill would require the department, by January 1, 2018, to update the Safety Roadside Rest Master Plan, and to identify any changes to state or federal law that would be required in order to facilitate public-private partnerships for roadside rest areas that would be located outside of the highway right-of-way.~~

*This bill would authorize the department to enter into one or more agreements, as specified, for the operation of safety roadside rest areas*

by private entities in conjunction with the development of a retail establishment, under which certain payments may be made to the state. The bill would also require the department to seek any federal waivers that may be necessary to implement these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 226.6 is added to the Streets and  
2     Highways Code, to read:  
3     226.6. (a) The department may enter into one or more  
4     agreements for the operation of safety roadside rest areas by  
5     private entities in conjunction with the development of a retail  
6     establishment.  
7     (b) An agreement entered into pursuant to this section shall  
8     provide for all of the following:  
9     (1) The state shall continue to own the affected property, but  
10    may lease the property to the private entity.  
11    (2) The private entity shall be responsible for maintaining the  
12    affected rest area.  
13    (3) The private entity shall ensure a daily minimum of 18 hours  
14    of public access to the rest area and shall provide restrooms,  
15    security, and limited vehicle parking.  
16    (c) An agreement may provide for payment to the state of a fixed  
17    percentage of all gross sales generated at the retail establishment  
18    via direct or online sales, with these payments to be deposited into  
19    the State Highway Account to be used, upon appropriation, to  
20    maintain or create new safety roadside rest areas.  
21    (d) The authorized retail establishment shall be consistent with  
22    state-defined footprint and height standards and may sell a range  
23    of products for and to the traveling public as specified in the  
24    agreement. The rest area and associated retail establishment shall  
25    comply with all applicable Americans with Disabilities Act of 1990  
26    (Public Law 101-336) standards and federal regulations adopted  
27    pursuant thereto and shall meet or exceed the Tier 1 provisions  
28    of the 2013 Edition of the California Green Building Standards  
29    Code (Part 11 of Title 24 of the California Code of Regulations)  
30    for sustainable design and construction.

1     (e) *The department shall seek any federal waivers that may be*  
2     *necessary to implement this section.*

3     ~~SECTION 1. Section 218.5 is added to the Streets and~~  
4     ~~Highways Code, to read:~~

5     ~~218.5. The department, on or before January 1, 2018, shall~~  
6     ~~update the Safety Roadside Rest Area Master Plan. In updating~~  
7     ~~the plan, the department shall identify any changes to state or~~  
8     ~~federal law that would be required in order to facilitate~~  
9     ~~public-private partnerships for roadside rest areas that would be~~  
10    ~~located outside of the highway right-of-way.~~